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10  
11 IN THE UNITED STATES BANKRUPTCY COURT

12 FOR THE DISTRICT OF OREGON

13 In re

) Case No. 04-37154-elp11

14 ROMAN CATHOLIC ARCHBISHOP OF )  
15 PORTLAND IN OREGON, AND )  
16 SUCCESSORS, A CORPORATION SOLE, )  
dba the ARCHDIOCESE OF PORTLAND )  
IN OREGON, )

) **SUPPLEMENTAL DECLARATION**  
) **OF JON R. CONTE, Ph.D.**

17 Debtor.  
18 \_\_\_\_\_ )

19 I, Jon R. Conte, Ph.D., under penalty of perjury under the laws of the State of  
20 Washington, hereby declare as follows:

21 1. I have reviewed the Tort Claimants Committee's proposed media  
22 campaign. As a general strategy, such a campaign is consistent with my previous  
23 Declaration.

24 **EFFECTIVENESS.**

25 2. The limitations necessarily imposed upon use of the public media and  
26 the sensitivities of the general public exposed to the media unfortunately must limit the terms

1 used to describe priest sexual abuse by not using sexually specific language to describe the  
2 conduct of interest. Therefore, the terms used in the proposed campaign are not specific  
3 enough to alert many victims that they are potential claimants. The global and vague  
4 language used in the draft campaign can be modified to help alleviate that problem before  
5 finalized. Most importantly, the general content of the campaign and printed materials  
6 prepared for distribution should be reviewed by a focus group of survivors, their families and  
7 researchers to ensure effectiveness.

8           3.       The media campaign should be supplemented by a direct mailing to  
9 the general public or a targeted mailing to Catholic families that were likely exposed to priest  
10 sexual abuse. A targeted mailing could be generated by using the names of all identified  
11 perpetrators, their employment histories, and lists of parishioners and families to target in the  
12 identified parishes, schools and other institutions where abusive Catholic priests were  
13 employed.

14           4.       I understand that the media campaign will include a web page, follow-  
15 up written materials and a telephone hotline where more specific descriptions of the abusive  
16 conduct at issue could be used to ensure that victims are able to determine whether they have  
17 claims to assert.

#### 18           **ILLUSTRATION OF PSYCHOLOGICAL BARRIERS TO DISCLOSURE**

19           5.       In June 2000, I evaluated an individual, D.B., a victim of sexual abuse  
20 by a Catholic cleric. I have recently reviewed a videotape of D.B. describing some of the  
21 circumstances of his abuse. That video is attached to this Declaration as Exhibit One. My  
22 words cannot adequately describe the dynamics and suffering experienced by a victim of  
23 childhood sexual abuse. Without understanding that suffering, one cannot appreciate how  
24 difficult it is to provide fair notice to victims of childhood sexual abuse. D.B. illustrates the  
25 self blame and shame which successfully silence a well educated and professionally  
26 successful man abused in his childhood by a Catholic priest. D.B. describes how a priest

used the trappings of religion to gain access and control over his intended victim. The priest implemented an active strategy to separate the boy from his family by keeping a secret from the boy's father and then making his sexual use of the boy another secret. While not fully described in the video, in my evaluation I learned that D.B. was abused in a severe way. Unlike many victims, he was successfully able to avoid the priest after a relatively short period of abuse. D.B. did not talk about the abuse for over 40 years. He rarely thought about the abuse, until December 1999, when he read a newspaper story about the abusive conduct of an Oregon priest.

6. D.B. lived life depressed, anxious and periodically alcoholic. He avoided church and reminders of abuse to protect himself from his feelings of betrayal, shame and hopelessness. To be effective, notice to potential claimants needs to overcome the barriers illustrated by D.B.'s history. The notice needs to deal with the profound suffering D.B. obviously experiences as he describes the abuse. It should be noted that D.B. is better able to deal with his personal suffering than the vast majority of victims I have evaluated.

## UNINTENDED POTENTIAL FOR HARM

7. Inherent in any public media campaign to reach potential claimants will be exposure to the notice of children, adolescent and adult victims of abuse. Many of those individuals are victims of perpetrators who have no relationship whatsoever to the Catholic church and, therefore, are not claimants in this bankruptcy. The public notice will, of necessity, be inherently emotional. These third party victims will not anticipate and perhaps will not want to be exposed to the notice. For an unknown group of such individuals, exposure to the notice content will be associated with destabilization, regression, a deterioration in functioning and may potentially be responsible for extreme emotional reactions. Use of a public notice carries a high risk of intensification of victim symptoms; such as substance abuse, deterioration in relationships, deterioration in the ability to manage work and family lives, and suicidality. The link between childhood sex abuse and suicidality

1 is extremely strong. Because these third party victims totally unrelated to the church may be  
2 negatively affected by the proposed media campaign, it is important that the web page, the  
3 telephone crisis line and related written materials include information and referral sources so  
4 that these non-claimant victims who will suffer by exposure to the notice are provided  
5 necessary resources.

6 8. The media campaign and notice procedures utilized need to provide a  
7 means to safely address the resurrected trauma and trauma symptoms that will be generated  
8 by this process.

9 DATED this 16<sup>th</sup> day of November, 2004.

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12 \_\_\_\_\_  
JON R. CONTE, Ph.D.

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**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing **SUPPLEMENTAL  
DECLARATION OF JON R. CONTE, Ph.D.** on the parties on the attached List of  
Interested Parties by:

☒ mailing a copy thereof in a sealed, first-class postage prepaid envelope,  
addressed to each party's last-known address and depositing in the U.S. mail at Portland,  
Oregon on the date set forth below;

☐ causing a copy thereof to be hand-delivered to each party at each party's  
last-known address on the date set forth below;

☐ sending a copy thereof via overnight courier in a sealed, prepaid envelope,  
addressed to each party's last-known address on the date set forth below;

☐ faxing a copy thereof to each party at such party's last-known facsimile  
number on the date set forth below; or

☐ e-mailing a copy thereof to each party at such party's last-known e-mail  
address on the date set forth below.

DATED this 22nd day of November, 2004.

TONKON TORP LLP

By   
ALBERT N. KENNEDY, OSB No. 82142  
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032545\00001\599218 V001

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